

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

FRANCISCO GUERRA, et al,	§	
	§	
Plaintiffs,	§	
	§	
vs.	§	C.A. NO. C-05-580
	§	
WEDGE MANAGEMENT, INC.	§	
	§	
Defendant.	§	

ORDER DENYING DEFENDANT'S MOTION TO RECONSIDER

On this day came on to be considered Defendant Wedge Management's Motion to Reconsider (D.E. 7) this Court's January 3, 2006, order remanding the case to state court for lack of subject-matter jurisdiction. 28 U.S.C. § 1447(d) provides that an "order remanding a case to the State court from which it was removed is not reviewable on appeal or *otherwise*." Id. (emphasis supplied). Thus, a federal "court is completely divested of jurisdiction once it mails a certified copy of the remand order to the clerk of the state court." In re Shell Oil Co., 932 F.2d 1523, 1528 (5th Cir. 1991). Because a certified copy of the remand order was mailed to the clerk of the state court on January 3, 2006, this Court is without jurisdiction to reconsider its order. Defendant's motion is, therefore, DENIED.

SIGNED and ENTERED this 16th day of January, 2006.



Janis Graham Jack
United States District Judge